

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO**

In Re:

**LUIS J VIERA ESCALONA**

Debtor(s)

Case No.: 10-03513 ESL

Chapter 13

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**MOTION TO INFORM AMENDED PLAN**

TO THE HONORABLE COURT:

**NOW COMES** the debtor, through the undersigned attorney, and very respectfully alleges and prays:

1. That today the debtor is filing an amended chapter 13 repayment plan.
2. That the reason for amendment is to adjust debtors payment schedule to increase the base of the plan.

**WHEREFORE**, the Trustee respectfully requests this Honorable Court to take notice of the aforementioned.

**RESPECTFULLY SUBMITTED.**

**I HEREBY CERTIFY** that a true and exact copy of the foregoing motion has been filed electronically with the Clerk of the Court using CM/ECF systems which will send notification of such to the Chapter 13 Trustee, and we sent copy of this document through regular mail to debtor (s) and all non CM/ECF participants interested parties to their addresses listed on the master address list.

**In San Juan, Puerto Rico this 18th day of June of 2010.**

JPC LAW OFFICE

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By: /s/ Jose M Prieto Carballo, Esq.

**United States Bankruptcy Court  
District of Puerto Rico**

**IN RE:**

Case No. 10-03513-13

VIERA ESCALONA, LUIS J

Chapter 13

Debtor(s)

**AMENDED CHAPTER 13 PAYMENT PLAN**

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

<b>PLAN DATED:</b> _____ <input checked="" type="checkbox"/> <b>AMENDED PLAN DATED:</b> 6/17/2010 <input type="checkbox"/> <b>PRE</b> <input type="checkbox"/> <b>POST-CONFIRMATION</b> Filed by: <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other	
<b>I. PAYMENT PLAN SCHEDULE</b>  \$ 350.00 x 3 = \$ 1,050.00 \$ 400.00 x 57 = \$ 22,800.00 \$ _____ x _____ = \$ _____ \$ _____ x _____ = \$ _____ \$ _____ x _____ = \$ _____  TOTAL: \$ 23,850.00  Additional Payments: \$ 3,000.00 to be paid as a LUMP SUM within <del>60 months</del> with proceeds to come from:  <input type="checkbox"/> Sale of Property identified as follows:  <input checked="" type="checkbox"/> Other: \$3,000 TAX REFUND (\$750 x 4 yrs= \$3,000)  Periodic Payments to be made other than, and in addition to the above: \$ _____ x _____ = \$ _____  PROPOSED BASE: \$ 26,850.00	<b>II. DISBURSEMENT SCHEDULE</b>  A. ADEQUATE PROTECTION PAYMENTS OR _____ \$ _____ B. SECURED CLAIMS: <input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows: 1. <input type="checkbox"/> Trustee pays secured ARREARS: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 2. <input checked="" type="checkbox"/> Trustee pays IN FULL Secured Claims: Cr. TOYOTA FINANCIAL SER Cr. _____ Cr. _____ # 040613289 # _____ # _____ \$ 14,883.00 \$ _____ \$ _____ 3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 4. <input type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder:  5. <input type="checkbox"/> Other:  6. <input type="checkbox"/> Debtor otherwise maintains regular payments directly to:  C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2) D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims. 1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: _____ <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: _____ Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 2. Unsecured Claims otherwise receive PRO-RATA disbursements.  <b>OTHER PROVISIONS:</b> <i>(Executory contracts; payment of interest to unsecureds, etc.)</i> FAILURE TO TIMELY OBJECT TO THIS PLAN BY A CREDITOR CONSTITUTES A WAIVER OF THE EQUAL MONTHLY AMOUNT METHOD OF PAYMENT 11 USC 1325 (a)(5).  ATTORNEY'S FEES WILL BE PAID AHEAD OF SECURED CREDITORS PER 11 USC 330.  TAX REFUNDS, IF ANY ARE RECEIVED BY DEBTOR, WILL BE TENDERED TO THE TRUSTEE AS PERIODIC PAYMENTS TO FUND THE PLAN UNTIL PLAN COMPLETION IN ADDITION TO PAYMENTS ALREADY PROVIDED HEREIN. IF DEBTOR(S) NEED TO USE ANY PART OF THESE FUNDS, PROPER AUTHORIZATION WILL BE SOUGHT FROM THE COURT FOR SUCH PURPOSE.  DEBTOR WILL PROVIDE INSURANCE FOR VEHICLE FINANCED WITH TOYOTA CREDIT TROUGH EASTERN AMERICAN INSURANCE COMPANY.
<b>III. ATTORNEY'S FEES</b> (Treated as § 507 Priorities)  Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ 2,674.00	
Signed: <u>/s/ LUIS J VIERA ESCALONA</u> Debtor  _____ Joint Debtor	

Attorney for Debtor Jose Prieto

Phone: (787) 607-2066

Label Matrix for local noticing  
0104-3  
Case 10-03513-ESL13  
District of Puerto Rico  
Old San Juan  
Fri Jun 18 09:59:45 AST 2010

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End of Label Matrix  
Mailable recipients 13  
Bypassed recipients 0  
Total 13